

Agenda Session  
May 13, 2015 - 4:30 P.M.

Vice Chairman Wright called the meeting to order and welcomed everyone to the meeting.

Roll call was taken. . PRESENT – Patrick Ziegler, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Preston Allen, Jean Raymond, Paul Lent, Paul Lunde, Arthur Wright, Kevin Tollisen, - Paul Sausville, Daniel Lewza, Preston L. Jenkins, Jr., Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Peter Martin, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 22. ABSENT - Thomas Richardson - 1.

On a motion made by Mr. Collyer, seconded by Mr. Wood the minutes of the April 15, 2015 meeting were approved unanimously.

Mr. Hellwig presented the following:

EQUALIZATION AND ASSESSMENT

Authorizing a correction to the 2015 tax rolls from \$470.22 to \$464.13; a difference of \$6.09 for a parcel located in the Town of Waterford.

Authorizing the conveyance of tax acquired lands in the Town of Wilton.

Authorizing the conveyance of tax acquired lands in the Quaker Springs Fire District #1.

BUILDINGS AND GROUNDS

Authorizing the purchase of a .77 acre parcel adjacent to the Saratoga County Airport Runway 23, from Rowlands Hollow Water Works, Inc. in the amount of \$9,250.

Authorizing North American Flight Services (NAFS) to sublet a portion of the Saratoga County Airport's east facility building to RYH Enterprises LLC, for the purposes of operating a café.

PERSONNEL AND INSURANCE

Appointing Daniel J. Kuhn to the position of Saratoga County Coroner, effective May 22, 2015.

Authorizing an agreement with Professional Risk Solutions (PRS) to purchase \$1 million in Cyber Liability Insurance at an annual cost of \$24,024.

Amending the Policies and Procedures manual with respect to the Travel and Discretionary Funds Policy.

Appointing Margaret C. McNamara to the position of Director of Personnel effective May 22, 2015 at a Grade 21 base salary of \$97,244.

RACING AND GAMING

Opposing the "Teller All Gone Horse-racing Deregulation Act of 2015" which would be detrimental to all pari-mutuel wagering on racetracks within Saratoga County.

ECONOMIC DEVELOPMENT

Authorizing the Chair to enter into a multi-jurisdictional agreement designating Saratoga, Warren, and Washington counties as the Local Workforce Development areas.

PUBLIC HEALTH

Authorizing acceptance of additional State Aid for the Transitional Services Association (\$17,647) and the Alcohol and Substance Abuse Prevention Council, Inc. (\$318) and amending the 2015 budget in relation thereto.

### PUBLIC SAFETY

Authorizing participation in the 2015 Stop-DWI Program and contracts with local agency participants.

Authorizing the Chairman and the Sheriff to enter into an agreement for additional police services for the Village of Corinth.

Authorizing the Chairman to accept an Aid to Defense Grant in the Public Defender's Office in the amount of \$23,250.

Authorizing acceptance of an \$87,630 Emergency Management Performance Grant from the US Department of Homeland Security.

Authorizing the Chairman to enter into an agreement with the NYS Department of Homeland Security to participate in the Foam Task Force Initiative.

### PUBLIC WORKS

Authorizing the implementation and funding in the first instance 100% of the Federal Aid State "Marchiselli" Program aid eligible costs of a transportation federal aid project for CR67 over the Fish Creek Bridge and Mott Road Bridge over the Snook Kill.

Authorizing an amendment to the consultant agreement with Creighton Manning Engineering, LLP for the Mott Road Bridge over the Snook Kill to include \$81,000 for construction, inspection, and support services.

Authorizing an amendment to the consultant agreement with Creighton Manning Engineering, LLP for the Stafford Road Bridge over the Fish Creek to include \$157,000 for construction, inspection and support services.

Authorizing conveyance of a permanent easement to the Town of Stillwater for a town water main extension along CR75 (Mechanicville-Stillwater Road) to connect to the Saratoga County Water Authority System.

Authorizing Saratoga County to continue serving as SEQRA Lead Agency for Finch Landfill expansions.

### CHAIRMAN'S ITEMS

Appointing members to the Saratoga County Planning Board

### LAW AND FINANCE

Authorizing an amendment to the contract with Environmental Design Partnership, LLP for \$57,700 in additional design and construction services at the Sewer District No. 1's Milton Pump Station.

Requesting Home Rule Legislation authorizing the County of Saratoga and Saratoga County Water Authority to effect a lot line adjustment in the Town of Moreau.

Mr. Tollisen abstained from voting on the Public Defenders resolution to accept an Aid to Defense Grant.

On a motion made by Mr. Lucia, seconded by Mr. Lunde the agenda was approved for the May 19, 2015 Board Meeting.

On a motion made by Mr. Lent, seconded by Mr. Barrett the meeting was adjourned unanimously.

Respectfully submitted - Chris Sansom, Deputy Clerk

REGULAR MEETING  
TUESDAY, MAY 19, 2015  
AT 4:00 P.M., E.S.T.

Board called to order by the Chairman.

Roll Call was taken. PRESENT – Patrick Ziegler, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Jean Raymond, Paul Lent, Paul Lunde, Arthur Wright, Thomas Richardson, Daniel Lewza, Preston L. Jenkins, Jr., Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Peter Martin, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 21. ABSENT - Preston Allen, Kevin Tollisen, Paul Sausville, - 2.

The invocation was given by Thomas N. Wood, III, Chaplain.

On a motion by Mr. Lunde, seconded by Mr. Kinowski the minutes of the April 21, 2015 meeting were unanimously approved.

The Clerk presented the following:

Thank you letter from The Wesley Foundation for the Board donation in memory of Ronald Allen.

Received and filed.

Thank you note from the Allen Family for the Board's donation in memory of Ronald Allen.

Received and filed.

Letter from County Clerk Hayner acknowledging receipt of Saratoga County Coroner Thomas Salvatore's resignation effective April 30, 2015.

Received and filed.

Letter from Assemblyman Daniel Stec regarding Saratoga County's CHIPS funding.

Received and filed.

Letter from Assemblyman Daniel Stec acknowledging receipt of resolution 82 of 2015.

Received and filed.

Letter from NYS Agriculture and Markets approving the district renewal plan with modifications outlined in Resolution 167 of 2014.

Received and filed.

Letter from Canadian Pacific Railway Company notifying the County of a potential mass layoff.

Copy to Supervisor Barrett.

Resolution from Fulton County requesting the Governor and State Legislature to amend the vehicle and Traffic Law to allow All-Terrain Vehicles up to 1,500 pounds to be registered.

Copy to Supervisor Raymond.

Resolution from Fulton County requesting the Governor and State Legislature to amend the vehicle and traffic safety law regarding the designation of highways and travel by All-Terrain vehicles.

Copy to Supervisor Raymond.

Letter from Ann M. Diller from Gansevoort regarding Saratoga County Mental Health.

Copy to all Supervisors and the County Administrator.

## REPORT NO. 4

## Report No. 4 – Mortgage Tax Report

To the Honorable Board of Supervisors of Saratoga County:

The following is a report of the Mortgage Tax collected and to be distributed to Cities, Towns and Villages; and the County Treasurer is hereby authorized and directed to pay such amounts.

Amount in the hands of the County Treasurer for distribution in County after adjustments, deduction of expenses and payments of State's share is \$3,726,630.03 distributed to Cities, Towns and Villages as follows:

BALLSTON	\$ 166,058.63
BALLSTON SPA (BALL)	\$ 5,335.81
MILTON	\$ 182,323.80
BALLSTON SPA (MILTON)	\$ 21,559.01
CHARLTON	\$ 51,123.26
CLIFTON PARK	\$ 637,135.91
CORINTH	\$ 32,648.66
CORINTH (VILLAGE)	\$ 10,184.63
DAY	\$ 15,894.72
EDINBURG	\$ 15,863.96
GALWAY	\$ 43,377.47
GALWAY (VILLAGE)	\$ 688.44
GREENFIELD	\$ 115,089.43
HADLEY	\$ 10,977.67
HALFMOON	\$ 423,832.31
MALTA	\$ 384,512.70
ROUND LAKE (VILLAGE)	\$ 7,186.69
MECHANICVILLE	\$ 24,201.15
MOREAU	\$ 121,025.25
SO. GLENS FALLS (VILLAGE)	\$ 13,229.00
NORTHUMBERLAND	\$ 53,245.53
PROVIDENCE	\$ 18,295.43
SARATOGA	\$ 83,911.98
SCHUYLERVILLE (VILLAGE)	\$ 6,385.36
VICTORY (VILLAGE)	\$ 2,221.94
SARATOGA SPRINGS	\$ 845,319.30
STILLWATER	\$ 110,882.67
STILLWATER (VILLAGE)	\$ 7,099.42
WATERFORD	\$ 62,491.05
WATERFORD (VILLAGE)	\$ 3,146.46
WILTON	\$ 242,382.39
 TOTAL	 \$3,726,630.03

On a motion by Mr. Martin, seconded by Mr. Barrett Report No. 4 was unanimously approved.

On a motion by Mr. Peck, seconded by Mr. Barrett, Resolution No.'s 83 through 107, with the exception of Resolution No. 96, were adopted by a unanimous vote.

RESOLUTION 83 - 2015

Introduced by Supervisors Collyer, Jenkins, Lent, Lunde, Martin, Wood and Ziegler

CORRECTING 2015 TAX BILL AND AUTHORIZING A TAX CREDIT

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, Real Property Tax Law §550 (2)(b) defines a “clerical error” as an entry which is a mathematical error present in the computation of a partial exemption; and

WHEREAS, the owner of the following property has timely submitted proof of an error in his 2015 tax bill, to wit: the Town Assessor incorrectly inputted the Veteran Disability rating to which the owner was entitled, causing the disability exemption to calculate incorrectly; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a credit be authorized equal to the savings of applying the correct disability exemption; now, therefore, be it

RESOLVED, that the application of the following individual for correction of the 2015 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNERS</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Paul Connors	Waterford	295.12-1-64	\$464.13

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of \$6.09 to the outstanding 2015 tax bill of the property owner Paul Connors; and, be it further

RESOLVED, that the property owner shall have eight (8) days from the date a corrected tax bill in the amount of \$464.13 is mailed to the property owner to pay the corrected tax without additional penalties and interest.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 84 - 2015

Introduced by Supervisors Collyer, Jenkins, Lent, Lunde, Martin, Wood and Ziegler

AUTHORIZING THE CONVEYANCE OF TAX-ACQUIRED LANDS TO THE TOWN OF WILTON

WHEREAS, unpaid taxes resulted in the County’s acquisition of Tax Parcel #141.-2-1 in the Town of Wilton pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, Tax Parcel #141.-2-1 was previously scheduled to be sold at the County auction of tax-acquired properties on March 17, 2015; and

WHEREAS, pursuant to Resolution #87 of 2015, the Wilton Town Board has submitted an offer to purchase Tax Parcel #141.-2-1 for the municipal purposes of trail connections, open space and recreation; and

WHEREAS, the Town of Wilton duly mailed a written notice to the previous owners of Tax Parcel #141.-2-1 of the Town’s offer to purchase the parcel in accordance with the Policies and Procedures of our

Equalization and Assessment Committee, and said notice was returned by the United States Postal Service marked "Return to Sender, Unable to Forward"; and

WHEREAS, it is the policy of the Board to allow the sale of tax-acquired land to a municipality for the amount of all delinquent taxes, penalties and interest owed on the property; and

WHEREAS, our Equalization and Assessment Committee recommends the acceptance and approval of the offer of the Town of Wilton to purchase Tax Parcel #141.-2-1 for the amount of all delinquent taxes, penalties and interest; now, therefore, be it

RESOLVED, that the Chair of the Board execute and cause to be delivered to the Town of Wilton a quit claim deed conveying the following lands to the Town of Wilton upon payment of all delinquent taxes, penalties and interest set forth below:

<u>CONFY TO:</u>	<u>YEAR</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Town of Wilton	2012, 2013	141.-2-1	\$10,092.15
Wilton Town Hall	2014, 2015		
22 Traver Road	2014/2015	Saratoga	
Gansevoort, New York 12831		Springs City School	

BUDGET IMPACT STATEMENT: This amount includes all delinquent taxes, penalties and interest.

RESOLUTION 85 - 2015

Introduced by Supervisors Collyer, Jenkins, Lent, Lunde, Martin, Wood and Ziegler

AUTHORIZING THE CONVEYANCE OF TAX-ACQUIRED LANDS TO QUAKER SPRINGS FIRE DISTRICT #1

WHEREAS, unpaid taxes resulted in the County's acquisition of Tax Parcel #195.9-1-22 in the Town of Saratoga pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, Tax Parcel #195.9-1-22 was previously scheduled to be sold at the County auction of tax-acquired properties on March 17, 2015; and

WHEREAS, the Board of Fire Commissioners of Quaker Springs Fire District #1 has submitted an offer to purchase Tax Parcel #195.9-1-22 for the municipal purposes of constructing and operating a fire training facility; and

WHEREAS, Quaker Springs Fire District #1 has duly notified the previous owners of Tax Parcel #195.9-1-22 of the District's offer to purchase the parcel, and the former owners have failed to submit a repurchase offer for the property; and

WHEREAS, it is the policy of the Board to allow the sale of tax-acquired land to a municipality for the amount of all delinquent taxes, penalties and interest owed on the property; and

WHEREAS, our Equalization and Assessment Committee recommends the acceptance and approval of the offer of Quaker Springs Fire District #1 to purchase Tax Parcel #195.9-1-22 for the amount of all delinquent taxes, penalties and interest; now, therefore, be it

RESOLVED, that the Chair of the Board execute and cause to be delivered to the Quaker Springs Fire District #1 a quit claim deed conveying the following lands to the Quaker Springs Fire District #1 upon payment of all delinquent taxes, penalties and interest set forth below:

<u>CONFY TO:</u>	<u>YEAR</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Quaker Springs Fire District #1	2012, 2013	195.9-1-22	\$5,506.84
107 Blodgett Road	2014, 2015		
P.O. Box 67			
Schuylerville, NY 12871			

BUDGET IMPACT STATEMENT: This amount includes all delinquent taxes, penalties and interest.

RESOLUTION 86 - 2015

Introduced by Supervisors Peck, Allen, Lawler, Lewza, Jenkins, Raymond, and Ziegler

**AUTHORIZING THE PURCHASE OF A .77 ACRE PARCEL ADJACENT TO THE SARATOGA COUNTY AIRPORT FROM ROWLAND'S HOLLOW WATER WORKS, INC.**

WHEREAS, the Federal Aviation Administration (FAA) has identified a .77 acre portion of Tax Parcel #177-1-17.2 in the Town of Milton, owned by Rowland's Hollow Water Works, Inc., as containing numerous trees which due to their height pose a safety hazard to planes landing on Saratoga County Airport's Runway 23; and

WHEREAS, it is desirable and necessary for the County to acquire an interest in the .77 acre section of land that will allow the County to remove all tree obstructions and enhance the safety of planes landing on Runway 23; and

WHEREAS, the County's Airport consultant, McFarland Johnson, has recommended that the County acquire title to the .77 acre property; and

WHEREAS, funding from the FAA may be available to cover the costs of acquiring title to the property; and

WHEREAS, McFarland Johnson obtained an appraisal by a duly licensed appraisal company which appraised the market value of the .77 acre parcel at \$9,250; and

WHEREAS, Rowland's Hollow Water Works, Inc. has accepted the County's offer of \$9,250 for the property; now, therefore, be it

RESOLVED, that the County's purchase of a .77 acre parcel of land, consisting of a portion of Tax Parcel #177-1-17.2 in the Town of Milton adjacent to the Saratoga County Airport, from Rowland's Hollow Water Works, Inc. for the sum of \$9,250, is hereby approved; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to effect the conveyance of the .77 acre parcel to the County, with all such documents being subject to the approval of the County Attorney.

**BUDGET IMPACT STATEMENT:** No budget impact. Funding is included in the 2015 Adopted Budget.

**RESOLUTION 87 - 2015**

Introduced by Supervisors Peck, Allen, Lawler, Lewza, Jenkins, Raymond, and Ziegler

**AUTHORIZING NORTH AMERICAN FLIGHT SERVICES, INC. TO SUBLET A PORTION OF THE SARATOGA COUNTY AIRPORT'S EAST MAINTENANCE/OPERATIONS HANGAR TO RYH ENTERPRISES, LLC FOR THE PURPOSES OF OPERATING A CAFÉ**

WHEREAS, pursuant to Resolution 16-08, the Saratoga County Board of Supervisors authorized a renewal of North American Flight Services, Inc.'s lease of the eastern section of the Saratoga County Airport for a term of twenty years to expire on December 31, 2027; and

WHEREAS, pursuant to the authority granted by Resolution 16-08, the County and North American Flight Services (NAFS) entered into a 20 year lease renewal agreement dated April 30, 2008; and

WHEREAS, NAFS desires to sublet an approximately 1920 sq. ft. portion of the Airport's Maintenance/Operations Hangar to RYH Enterprises, LLC for purposes of operating a café for the provision of breakfast and lunch during the hours of 7:00 a.m. to 3:30 p.m., together with an adjacent 900 sq. ft. outdoor area for patio seating; and

WHEREAS, the lease between the County and NAFS requires NAFS to obtain the prior written approval of the County: 1) to any proposed sublet of the leased premises by NAFS; and 2) to any improvements, alterations, repairs or changes to the leased premises by NAFS; and

WHEREAS, our Buildings and Grounds Committee has recommended that the proposed sublease to RYH Enterprises, LLC, and the proposed alterations to convert a portion of the Maintenance/Operations Hanger to a café, be approved, subject to certain terms and conditions; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby approves the proposed sublease by North American Flight Services, Inc. of an approximately 1920 sq. ft. portion of the East Maintenance/Operations Hanger at the

Saratoga County Airport, together with an approximately 900 sq. ft. exterior area, to RYH Enterprises LLC for purposes of operating a café for the service of breakfast and lunch, with said approval being subject to the following terms and conditions:

1. The hours of operation of the café shall be restricted to 7:00 a.m. to 3:30 p.m. daily, unless otherwise modified by this Board of Supervisors.
2. The service of alcohol on the café premises shall be subject to RYH Enterprises LLC's compliance with any recommendations made by the County's insurance agent, Cool Insuring Agency, Inc., for the provision of additional insurance coverage and indemnification to the County to protect the County from alcohol-related claims; and
3. The terms and conditions of such sublease shall be subject to the approval of the County Attorney;

and, be it further

RESOLVED, that North American Flight Services, Inc. and RYH Enterprises LLC are hereby authorized to make such improvements, alterations, repairs or changes to the sublet premises as are needed to convert the sublet space to a café, subject to the inspection and final approval of the Saratoga County Commissioner of Public Works to all such improvements, alterations and changes; and, be it further

RESOLVED, that RYH Enterprises LLC is hereby authorized to advertise its café business on the County's master sign at the Geyser Road entrance to the Saratoga County Airport; and, be it further

RESOLVED, that all future County or Landlord approvals required by the County's Airport leases with North American Flight Services, Inc. shall be reserved to this Board of Supervisors.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 88 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

#### APPOINTING DANIEL J. KUHN AS CORONER

WHEREAS, Saratoga County Coroner Thomas A. Salvadore retired on April 30, 2015; and

WHEREAS, pursuant to County Law §400(7), a vacancy in the office of county coroner shall be filled by the county board of supervisors, and such officer shall hold office until and including the thirty-first day of December succeeding the first annual election at which the vacancy can be filled by election; and

WHEREAS, pursuant to Resolution 207-13, this Board appointed Daniel J. Kuhn of the Town of Clifton Park as Deputy Coroner (Temporary) for the County of Saratoga; and

WHEREAS, our Personnel and Insurance Committee has recommended that Daniel J. Kuhn be appointed to the office of Coroner of the County of Saratoga to fill the vacancy created by the retirement of Thomas A. Salvadore; now, therefore, be it

RESOLVED, that Daniel J. Kuhn of the Town of Clifton Park, New York, be and is hereby appointed to the position of Coroner for the County of Saratoga for a term to expire on December 31, 2015, at the annual salary of \$26,766; and be it further

RESOLVED, that this Resolution shall take effect on May 22, 2015.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 89 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

#### AUTHORIZING THE PURCHASE OF CYBER LIABILITY INSURANCE

WHEREAS, the County’s expanding use of digital technology expose it to liabilities that didn’t exist a decade or more ago, ranging from malicious code, hackers, identity theft, software malfunctions, security breaches, network failures, and the unauthorized release of personal data of County employees and the recipients of County services; and

WHEREAS, our Personal and Insurance Committee requested the County’s insurance agent, Cool Insuring Agency, Inc., to solicit proposals for cyber liability insurance coverage for the County; and

WHEREAS, the Personnel and Insurance Committee and the Technology Committee have recommended that the proposal of Ascent Underwriting be accepted at a premium cost not to exceed \$24,024; now, therefore, be it

RESOLVED, that the proposal of Ascent Underwriting for cyber liability insurance coverage for the County of Saratoga through May 8, 2016 at a premium cost not to exceed \$24,024, be accepted, with said policy to provide coverage up to the limits of \$1,000,000, with a deductible of \$50,000.

BUDGET IMPACT STATEMENT: None. Funding is available in the 2015 Adopted Budget.

RESOLUTION 90 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REVISE AND RETITLE THE MANAGERIAL MEAL AND TRAVEL EXPENSES POLICY

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of Saratoga County government; and

WHEREAS, since adoption, the Board of Supervisors has enacted several amendments to the Manual; and

WHEREAS, the annual review of the Manual, mandated by Section 104-b of the General Municipal Law, has disclosed the appropriateness of revisions proposed by the Board’s Personnel and Insurance Committee to the County’s Managerial Meal and Travel Expenses Policy; and

WHEREAS, a copy of the Personnel and Insurance Committee’s proposed revised Managerial Meal and Travel Expenses Policy, to be retitled as the Saratoga County Travel and Discretionary Funds Policy, was provided to each member of this Board; and

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore, be it

RESOLVED, that the following sections of the Saratoga County Policies and Procedures Manual are amended to revise the Managerial Meal and Travel Expenses Policy, now retitled as the Saratoga County Travel and Discretionary Funds Policy, as more particularly described in the Personnel and Insurance Committee’s proposal:

<u>CHAP/SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>RESOL.</u>
4 V	Saratoga County Travel and Discretionary Funds Policy	6/16/87	155 of 1987

and, be it further

RESOLVED, that the Personnel Department distribute copies of these amendments to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 91 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

APPOINTING MARGARET C. MCNAMARA AS DIRECTOR OF PERSONNEL

WHEREAS, as result of the retirement of John J. Kalinkewicz, there is a vacancy in the position of Director of Personnel; now, therefore, be it

RESOLVED, that effective May 22, 2015 Margaret C. McNamara of the Town of Milton, Saratoga County, New York, is hereby appointed Director of Personnel of the County of Saratoga for a six year term to expire on May 22, 2021, at the base level of Salary Grade No. 21 on the Saratoga County Management Compensation Schedule.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 92 - 2015

Introduced by Supervisors Lunde, Grattidge, Johnson, Lawler, Martin, Peck, and Wright

#### OPPOSING PROPOSED FEDERAL LEGISLATION TO REPEAL THE INTERSTATE HORSERACING ACT OF 1978

WHEREAS, in an effort to combat the administration of performance enhancing and dangerous drugs to racehorses across the country, United States Senator Tom Udall of New Mexico and United States Representative Joe Pitts of Pennsylvania have introduced legislation in the U.S. Congress to repeal the Interstate Horseracing Act of 1978; and

WHEREAS, the Interstate Horseracing Act of 1978, as amended in 2000, authorizes off-track betting at locations other than racetracks, and allows pari-mutuel wagering by telephone and over the Internet; and

WHEREAS, Senator Udall's bill, entitled the "Teller All Gone Horseracing Deregulation Act of 2015" and Representative Pitts' bill, entitled the "Coronado Heights Deregulation Act of 2015" are named after racehorses who sustained fatal injuries while racing; and

WHEREAS, in the 38 states that allow off-track and online wagering, which include New York State, it is estimated that of the \$11 billion wagered on horseracing, 90% of said amount is wagered at off-track locations and over the Internet; and

WHEREAS, the National Thoroughbred Horseracing Association has issued a statement strongly opposing the bills introduced by Senator Udall and Representatives Pitts, stating that the proposed legislation "threatens to destroy the economic vitality of the \$26 billion horseracing industry and the 380,000 jobs it supports nationwide"; and

WHEREAS, The Jockey Club has also taken a position opposing the proposed legislation, stating "The Interstate Horseracing Act of 1978 is the lifeblood of the industry, and we strongly oppose any effort to repeal it"; and

WHEREAS, the National Horsemen's Benevolent and Protective Association has issued a statement on behalf of its nearly 30,000 members, stating "The National HBPA believes opposing this legislation, or any similar legislation, will be critical to the economic viability of not only the Thoroughbred racing industry, but the equine industry as a whole"; and

WHEREAS, while this Board of Supervisors opposes the administration of banned performance enhancing drugs to racehorses for the purpose of gaining an unfair competitive advantage, the federal legislation proposed by Senator Udall and Representative Pitts is a misdirected and misguided attempt to correct that problem; and

WHEREAS, the repeal of the Interstate Horseracing Act of 1978 would have a devastating financial impact on racing in New York State and at the Saratoga Race Track, and will effect severe and long-term financial consequences upon the economies of Saratoga County and the City of Saratoga Springs; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby opposes in the strongest possible terms proposed federal legislation to repeal the Interstate Horseracing Act of 1978, and this Board urges its representatives in the United States Senate and the House of Representatives to take all appropriate action necessary to oppose the passage of such proposed legislation now and in the future; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a certified copy of this Resolution to United States Senators Charles Schumer and Kirsten Gillibrand, United States Representatives

Paul Tonko and Elise Stefanik, and the President and CEO of the New York Racing Association, Christopher Kay.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 93 - 2015

Introduced by Supervisors Johnson, Daly, Kinowski, Lewza, Lunde, Richardson and Sausville

AUTHORIZING THE DESIGNATION OF SARATOGA, WARREN AND WASHINGTON COUNTIES AS THE GEOGRAPHIC AREA COMPRISING THE LOCAL WORKFORCE DEVELOPMENT AREA REQUIRED FOR PURPOSES OF IMPLEMENTING THE NEW WORKFORCE INNOVATION AND OPPORTUNITY ACT, AND AUTHORIZING THE CHAIR TO EXECUTE A MULTI-JURISDICTIONAL AGREEMENT AND RELATED DOCUMENTS THEREFOR

WHEREAS, the Workforce Investment Act of 1988 is being replaced with a new federal and state employment and training program being implemented pursuant to the Workforce Innovation and Opportunity Act of 2014 (WIOA); and

WHEREAS, the WIOA requires that Saratoga, Warren and Washington Counties replace their current Local Workforce Investment Area with a new Local Workforce Development Area to be designated by their legislative bodies, and to replace their Local Workforce Investment Board with a new Local Workforce Development Board; and

WHEREAS, Saratoga, Warren and Washington Counties wish to designate Saratoga, Warren and Washington Counties as the Local Workforce Development Area, and to appoint Saratoga County as the Grant recipient/fiscal agent responsible for receiving and disbursing WIOA grant funds at the direction of the Local Workforce Development Board; and

WHEREAS, it is the desire of Saratoga, Warren and Washington Counties to enter into a multi-jurisdictional agreement for the purpose of conducting WIOA programs in Saratoga, Warren and Washington Counties; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby designates Saratoga, Warren and Washington Counties as the geographic area for the implementation of a new Local Workforce Development Area required by the recently enacted Workforce Innovation and Opportunity Act of 2014; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute a multi-jurisdictional agreement with the Counties of Warren and Washington, and other related documents, necessary for the implementation of the new Workforce Development System required by the new Workforce Innovation and Opportunity Act of 2014; and, be it further

RESOLVED, that this resolution is subject to the adoption of concurring resolutions by the Board of Supervisors of the Counties of Warren and Washington.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 94 - 2015

Introduced by Supervisors Tollisen, Collyer, Kinowski, Lucia, Martin, Richardson and Wood

AUTHORIZING AMENDMENTS TO MENTAL HEALTH CONTRACTS AUTHORIZED BY RESOLUTION 248-2014 TO ACCEPT ADDITIONAL STATE FUNDS AND AMENDING THE 2015 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 248-2014 authorized ongoing contracts for mental health services, subject to State appropriations therefor; and

WHEREAS, additional funds are available from the New York State Office of Alcohol and Substance Abuse Services (NYS OASAS) in the amount of \$17,647 to offset a corresponding reduction to the Federal Supplemental Nutrition Assistance Program (SNAP), and in the amount of \$318 reflecting an adjustment

resulting from a miscalculation by OASAS of the 2% increase in salary and fringe authorized pursuant to Part I of Chapter 60 of the Laws of 2014; and

WHEREAS, amendments to the current contracts authorized by Resolution 248-2014 and to the 2015 County Budget are needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended contract with the following agencies to provide for an increase in funding for their services to the indicated amount:

<u>ORGANIZATION</u>	<u>REVISED TOTAL</u>	<u>FUNDING LINE</u>
Transitional Services Association, Inc.	\$1,436,896	NYS OMH - \$1,194,621 NYS OASAS - \$242,275
The Alcohol and Substance Abuse Prevention Council of Saratoga, Inc.	\$ 536,774	NYS OASAS - \$521,258 Saratoga County - \$15,516

and, be it further

RESOLVED, that the 2015 County Budget is amended as follows:

MENTAL HEALTH:

Appropriations:

Increase Acct. #1-43-443-8726.013 Transitional Services ASA	\$17,647
Increase Acct. #1-43-443-8738.013 ASAPP ASA	<u>\$ 318</u>
	\$17,965

Revenues:

Increase Acct. #1-43-3489 State Aid – OASAS	\$17,647
Increase Acct. #1-43-3483 Alcohol Abuse Program ST	<u>\$ 318</u>
	\$17,965

and, be it further

RESOLVED, that the form and content of such amended contracts shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 95 - 2015

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

**AUTHORIZING PARTICIPATION IN 2015 STATE STOP-DWI PROGRAM AND CONTRACTS WITH LOCAL AGENCY PARTICIPANTS**

WHEREAS, Vehicle and Traffic Law §1197 authorizes establishment of county special traffic options programs for driving while intoxicated (STOP-DWI) to reduce drug-related and alcohol-related traffic injuries and fatalities; and

WHEREAS, Resolution 93-2014 authorized renewal and implementation of our local STOP-DWI program and its participation in the 2014 State program; and

WHEREAS, 2014 County participants wish to continue their services in 2015; and

WHEREAS, the participation and cooperation of these local agencies and of the County are essential for effective action against this continuing menace to our residents; now, therefore, be it

RESOLVED, that the County of Saratoga renew its annual application to participate in the New York State STOP-DWI program for 2015; and, be it further

RESOLVED, that this Board of Supervisors approves the following 2015 STOP-DWI Program and budget for Saratoga County:

<u>ADMINISTRATION:</u>	<u>\$ 19,456</u>
Personnel (Coordinator)	\$ 13,659
Training/Travel	\$ 1,348
Dept. Expenses	\$ 2,649
Support Staff (Emergency Services)	\$ 1,800

<u>ENFORCEMENT AGENCIES:</u>	<u>\$ 121,977</u>
Saratoga County Sheriff	\$ 46,100
City of Saratoga Springs	\$ 34,200
Village of South Glens Falls	\$ 7,363
Town of Waterford	\$ 5,985
City of Mechanicville	\$ 4,560
Village of Ballston Spa	\$ 5,605
Town of Stillwater	\$ 3,325
Overtime funding	\$ 14,839

<u>COUNTY DEPARTMENTS:</u>	<u>\$ 137,050</u>
District Attorney	\$ 37,650
Probation	\$ 47,700
Mental Health	\$ 51,700

<u>INFORMATIONAL AGENCIES:</u>	<u>\$ 59,050</u>
ASAPP	\$ 53,050
SADD Programs	\$ 6,000

Total 2015 Grants: \$ 337,533;

and, be it further

RESOLVED, that, when necessary, the Chairman of the Board shall execute any agreements and documents needed to implement the above 2015 STOP-DWI program, with the form and content of such agreements and documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Barrett said Resolution No. 96 needs to go back to Committee for further discussion. On a motion by Mr. Barrett, seconded by Mr. Wright Resolution No. 96 was tabled by a unanimous vote.

RESOLUTION 96 – 2015 (TABLED)

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

**AUTHORIZING THE CHAIR AND THE SHERIFF TO ENTER INTO A CONTRACT FOR ADDITIONAL POLICE SERVICES FOR THE VILLAGE OF CORINTH**

WHEREAS, Resolution 92 - 2014 last authorized a contract with the Village of Corinth for additional law enforcement services within the Village; and

WHEREAS, the Village wishes to extend this contract; and

WHEREAS, the proposed contract includes reimbursement by the Village for all County expenses including salaries, benefits, training, all transportation expenses, and a patrol car; now, therefore, be it

RESOLVED, that the Chair of the Board and the Sheriff are authorized to execute a contract with the Village of Corinth for additional County law enforcement services within the Village from June 1, 2015 through

May 31, 2016 for a sum not to exceed \$377,020, the form and substance of said contract being subject to the approval of the County Attorney; and, be it further

RESOLVED, that, if this contract is terminated, the additional positions of "Deputy Sheriff, Patrolman" necessary for these services shall be abolished.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 97 - 2015

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

#### ACCEPTING AN AID TO DEFENSE GRANT FOR THE PUBLIC DEFENDER'S OFFICE

WHEREAS, the State Division of Criminal Justice Services (DCJS) has awarded an Aid to Defense Grant for the Public Defender's Office to assist in the defense of individuals charged with felonies; and

WHEREAS, the State DCJS requests County approval and acceptance of this grant for the contract period April 1, 2015 through September 30, 2016; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors and/or the County Administrator is authorized, on behalf of the office of the Public Defender, to execute all necessary documents with the State Division of Criminal Justice Services for the acceptance of a 2015 - 2016 Aid to Defense grant in the amount of \$23,250; with the form and content of such documents being subject to the approval of both the County Attorney and the Public Defender.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

#### RESOLUTION 98 - 2015

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

#### AUTHORIZING ACCEPTANCE OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, an Emergency Management Performance Grant is available from New York State Division of Homeland Security and Emergency Services in the amount of \$87,630 for the performance period from October 1, 2014 through September 30, 2016; and

WHEREAS, our Office of Emergency Services proposes to utilize these funds for training and exercises, and improvements to Public Safety Answering Points (PSAP) to ensure their continued sustainability, which will include upgrades to power equipment, detection equipment and cyber security enhancements; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to apply for and accept a Emergency Management Performance Grant in the amount of \$87,630 from the New York State Division of Homeland Security and Emergency Services, with the form and substance of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid administered by New York State Division of Homeland Security.

#### RESOLUTION 99 - 2015

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF FIRE PREVENTION AND CONTROL TO PARTICIPATE IN THE NEW YORK STATE FOAM TASK FORCE INITIATIVE**

WHEREAS, the Office of Fire Prevention and Control of the New York State Division of Homeland Security and Emergency Services is developing a program to be known as the New York State Foam Task Force Initiative, which program is intended to coordinate an organized response to any large scale incident resulting from a crude oil spill or a fire involving crude oil that requires sustained, high volume, Class B foam operations to suppress ignitable vapors produced by such a spill and prevent a fire, or to extinguish any fire and prevent re-ignition; and

WHEREAS, the Foam Task Force Initiative will pre-position fourteen State owned foam trailers, equipment and supplies with County and local fire service agencies in populated areas along the corridors currently used to transport crude oil by rail; and

WHEREAS, the Office of Fire Prevention and Control has selected and invited Saratoga County to participate in the Foam Task Force Initiative; and

WHEREAS, in addition to providing the County with foam trailer, equipment and supplies, which shall remain the property of the State, the Office of Fire Prevention and Control will provide initial and refresher training to participating firefighting agencies, and coordinate annual drills and exercises for agency personnel; and

WHEREAS, our Public Safety Committee and the Saratoga County Fire Coordinator have recommended that the County accept the offer of the New York State Office of Fire Prevention and Control to participate in the New York State Foam Task Force Initiative; now, therefore, be it

RESOLVED, that the Chair of the Board execute an agreement and any necessary documents with the Office of Fire Prevention and Control of the New York State Division of Homeland Security and Emergency Services authorizing the County's participation in the New York State Foam Task Force Initiative, with the form and content of such agreement and documents to be subject to the approval of the County Attorney.

**BUDGET IMPACT STATEMENT:** None. 100% funded through the State Division of Homeland Security and Emergency Services.

**RESOLUTION 100 - 2015**

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR, AND AMENDING THE 2015 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, a Project for the BIN 3304470, Mott Road Bridge over the Snook Kill in the Town of Moreau & BIN 3304440, CR 67/Staffords Bridge Road over Fish Creek in the Town of Saratoga for Bridge Repairs, Saratoga County, P.I.N. 1758.96 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Construction.

NOW, THEREFORE, the Saratoga County Board of Supervisors, duly convened does hereby

RESOLVE, that the Saratoga County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$100,000.00 was last appropriated from the Saratoga County General Fund and made available to cover the cost of participation in the Preliminary Engineering/Design Work phase of the Project; and it is further

RESOLVED, that the additional sum of \$517,400.00 is hereby appropriated from the Saratoga County General Fund and made available to cover the cost of participation in the above phase of the Project, bringing total appropriations from the Saratoga County General Fund for this Project to date to the sum of \$2,532,400; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Saratoga County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Saratoga County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately; and it is further

RESOLVED, that the 2015 County Budget is amended as follows:

**PUBLIC WORKS:**

**Appropriations:**

Increase Acct.: #2-50-510-7502 ContrHwySr \$517,400

**Revenues:**

Increase Acct.: #2-50-3590 State Aid \$ 77,610

Increase Acct.: #2-50-4590 Federal Aid \$413,920

Increase Acct.: #2-0599.M Fund Balance \$ 25,870

\$517,400

**BUDGET IMPACT STATEMENT:** The 5% local share of the \$2,532,400 cost is \$126,620 which will require an additional appropriation of \$25,870 from Fund #2 fund balance.

RESOLUTION 101 - 2015

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH CREIGHTON MANNING ENGINEERING, LLP FOR CONSTRUCTION SUPPORT AND INSPECTION SERVICES RELATED TO THE REHABILITATION OF THE MOTT ROAD BRIDGE OVER THE SNOOK KILL IN THE TOWN OF MOREAU

WHEREAS, pursuant to Resolutions 93-12, 18-13, 28-2014 and 24-2015 this Board appropriated County Highway Funds for engineering and design work related initially to the replacement and later to the rehabilitation of the Mott Road Bridge over the Snook Kill in the Town of Moreau; and

WHEREAS, the County has an existing contract with Creighton Manning Engineering, LLP to provide engineering and design services for this project; and

WHEREAS, pursuant to Resolution 100 - 2015, this Board appropriated additional County Highway Funds for the next phase of this project: engineering, construction and construction inspection services; and

WHEREAS, our Public Works Committee and the County Commissioner of Public Works have recommended that the County's agreement with Creighton Manning, LLP be amended to authorize Creighton Manning, LLP to provide construction inspection and support services required in connection with the rehabilitation of the Mott Road Bridge over the Snook Kill at an additional cost not to exceed \$81,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with Creighton Manning Engineering, LLP of Albany, New York, for construction inspection and support services

related to the rehabilitation of the Mott Road Bridge over the Snook Kill in the Town of Moreau, at an additional cost not to exceed \$81,000, with the form and content of said amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The cost of this contract amendment is included in Resolution 100 - 2015.

#### RESOLUTION 102 - 2015

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH CREIGHTON MANNING ENGINEERING, LLP FOR CONSTRUCTION SUPPORT AND INSPECTION SERVICES RELATED TO THE REHABILITATION OF THE CR 67 (STAFFORDS ROAD) BRIDGE OVER THE FISH CREEK IN THE TOWN OF SARATOGA

WHEREAS, pursuant to Resolutions 94-12, 18-13, 28-2014 and 24-2015 this Board appropriated County Highway Funds for engineering and design work related initially to the replacement and later to the rehabilitation of the Staffords Road Bridge over the Fish Creek in the Town of Saratoga; and

WHEREAS, the County has an existing contract with Creighton Manning Engineering, LLP to provide engineering and design services for this project; and

WHEREAS, pursuant to Resolution 100 - 2015, this Board appropriated additional County Highway Funds for the next phase of this project: engineering, construction and construction inspection services; and

WHEREAS, our Public Works Committee and the County Commissioner of Public Works have recommended that the County's agreement with Creighton Manning, LLP be amended to authorize Creighton Manning, LLP to provide construction inspection and support services required in connection with the rehabilitation of the Staffords Road Bridge over the Fish Creek at an additional cost not to exceed \$157,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with Creighton Manning Engineering, LLP of Albany, New York, for construction inspection and support services related to the rehabilitation of the Staffords Road Bridge over the Fish Creek in the Town of Saratoga, at an additional cost not to exceed \$157,000, with the form and content of said amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The cost of this contract amendment is included in Resolution 100 - 2015.

#### RESOLUTION 103 - 2015

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO THE TOWN OF STILLWATER ALONG COUNTY ROUTE 75 FOR THE INSTALLATION OF A WATER MAIN CONNECTING TO THE SARATOGA COUNTY WATER AUTHORITY'S WATER SYSTEM

WHEREAS, the Town of Stillwater desires to install a water main and supporting infrastructure that will allow the Town to connect to the Saratoga County Water Authority's water system near Cordero Boulevard in the Town of Stillwater; and

WHEREAS, the Town has requested that the County convey to the Town permanent utility easements that will allow the Town to install the planned water main and supporting infrastructure along County Route 75 in the Town of Stillwater; and

WHEREAS, specifically, the Town has requested two easements along County Route 75, to wit: 1) a permanent, non-exclusive, water easement through those portions of County Route 75 and the adjoining right-of-way that the County owns in fee; and 2) a quitclaim permanent water easement for those portions of County Route 75 that are currently encumbered by the County as a user road; which easements are as shown on a map

entitled "Saratoga County Route 75 Permanent Utility Easement", dated January 22, 2015, prepared by Chazen Engineering, Land Surveying & Landscape Architecture Co., D.P.C.; and

WHEREAS, our Public Works Committee and Commissioner of Public Works have recommended that the requested easements be approved and granted by this Board; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute a deed of easement and any and all other documents needed to convey to the Town of Stillwater those permanent and quitclaim utility easements along County Route 75 in the Town of Stillwater depicted on a map entitled "Saratoga County Route 75 Permanent Utility Easement", dated January 22, 2015, prepared by Chazen Engineering, Land Surveying & Landscape Architecture Co., D.P.C., for the installation, maintenance and operation of a water main and related infrastructure connecting the Town of Stillwater to the Saratoga County Water Authority water system; and, be it further

RESOLVED, that the form and content of such deed of easement and related documents shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 104 - 2015

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

#### DECLARING THE COUNTY'S INTENT TO CONTINUE TO SERVE AS LEAD AGENCY FOR THE PROPOSED CONSOLIDATION AND EXPANSION OF THE FINCH WASTE CO. LLC LANDFILL

WHEREAS, pursuant to Resolution 134 of 1991, the Saratoga County Board of Supervisors declared its intent to serve as SEQRA lead agency for purposes of the County siting, designing, permitting, constructing and operating a Landfill on Kobor Road in the Town of Northumberland; and

WHEREAS, pursuant to Resolution 128-13, the County declared its intent to continue to serve as SEQRA lead agency in connection with the planned sale and privatization of the Saratoga County Landfill; and

WHEREAS, the County completed the sale of the County Landfill to Finch Paper LLC on January 24, 2014; and

WHEREAS, Finch Waste Co. LLC, successor in interest to Finch Paper LLC, desires to expand and consolidate adjoining landfills owned by Finch in the Town of Northumberland by obtaining from the New York State Department of Environmental Conservation a permit to expand its existing landfills by constructing a landfill on the 6.5 acre site between the two landfills, which site is identified as the "Valley Fill" in the Purchase and Sale Agreement executed by the County and Finch Paper LLC for the sale of the County Landfill; and

WHEREAS, consolidation and expansion of the Finch landfills also requires approval of the County Board of Supervisors; and

WHEREAS, representatives of Finch Waste Co. LLC and the Town of Northumberland have expressed their desire that the County continue to serve as SEQRA Lead Agency for the proposed consolidation and expansion of the Finch landfills in the Town of Northumberland; and

WHEREAS, the County has retained the services of the law firm of Miller, Mannix, Schachner & Hafner, LLC, via minor contract, to serve as special counsel to ensure the County's compliance with its legal obligations as lead agency under SEQRA; and

WHEREAS, Finch Waste Co. LLC has provided special counsel with a completed SEQRA Full Environmental Assessment Form, Part 1 (EAF) for the proposed landfill consolidation and expansion; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby declares its intent to continue to serve as lead agency with respect to the proposed consolidation and expansion of the Finch Waste Co. LLC Landfill in the Town of Northumberland; and, be it further

RESOLVED, that this Board of Supervisors authorizes and directs special counsel Miller, Mannix, Schachner and Hafner, LLC to provide the draft EAF to all involved agencies and to notify said involved agencies of this Board's intent to continue to serve as lead agency.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 105 - 2015

Introduced by Chairman Veitch

## APPOINTING MEMBERS TO THE COUNTY PLANNING BOARD

WHEREAS, Resolution 48-61, as amended by Resolutions 74-65 and 56-73, established the County Planning Board; and

WHEREAS, the terms of certain members of the Planning Board have expired; now, therefore, be it

RESOLVED, that the following people are appointed as a members of the County Planning Board for the stated terms:

<u>Name</u>	<u>Municipality</u>	<u>Term Expires</u>
Edwin Vopelak, Jr. 34 Ashley Drive Ballston Lake, NY 12019	Town of Clifton Park	5/31/19
Donald McPherson 144 Ingersoll Road Saratoga Springs, NY 12866	Town of Wilton	5/31/19
Constance Wood 1253 Eastern Avenue Amsterdam, NY 12010	Town of Charlton	5/31/20
Ian Murray 160 Haas Road Schuylerville, NY 12871	Town of Saratoga	5/31/20
Devin A. Dal Pos 20 Karner Dr. Saratoga Springs, NY 12866	City of Saratoga Springs	5/31/20

BUDET IMPACT STATEMENT: No budget impact.

## RESOLUTION 106 - 2015

Introduced by Supervisors Wright, Collyer, Daly, Kinowski, Lewza, Sausville and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH ENVIRONMENTAL DESIGN PARTNERSHIP, LLP FOR ADDITIONAL DESIGN AND CONSTRUCTION SERVICES AT THE SEWER DISTRICT NO. 1'S MILTON PUMP STATION

WHEREAS, Resolution 94-13 authorized an agreement with Environmental Design Partnership, LLP at a cost not to exceed \$83,350 for engineering services for certain repairs and improvements to Saratoga County Sewer District No. 1's Milton Pump Station, including the replacement of sewer pumps, the upgrading of the station's electrical system, and the addition of a septage receiving station; and

WHEREAS, during the course of the design phase of the project, unanticipated design and construction issues arose which necessitated incurring additional design, construction administration and construction inspection services, which issues included: having to rebid the project due to a lack of participation from HVAC

contractors; designing a new overhead crane system; required access gate revisions, and a building classification rating change due to the installation of septage equipment which required, among other things, new explosion proof electrical equipment; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the contract with Environmental Design Partnership, LLP (EDP) be amended to include the additional design and construction services provided and/or to be provided by EDP at a cost not to exceed \$57,700; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Environmental Design Partnership, LLP of Clifton Park, New York, for additional design and construction services relative to the upgrades to the Milton Pump Station, at a cost not to exceed \$57,700, thereby increasing the overall contract amount to \$141,050, with the form and content of said amended agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. Additional service costs will be covered by savings in other capital projects.

#### RESOLUTION 107 - 2015

Introduced by Supervisors Wright, Collyer, Daly, Kinowski, Lewza, Sausville and Tollisen

#### REQUESTING HOME RULE LEGISLATION TO AUTHORIZE THE COUNTY OF SARATOGA AND THE SARATOGA COUNTY WATER AUTHORITY TO EFFECTUATE A LOT LINE ADJUSTMENT INVOLVING A PORTION OF REFORESTED LANDS IN THE TOWN OF MOREAU

WHEREAS, pursuant to Chapter 439 of 2006 of the Laws of the State of New York, and Resolution 128-07 of the Saratoga County Board of Supervisors, the County conveyed to the Saratoga County Water Authority (SCWA) a 21.86 acre parcel of County owned reforested land on Butler Road in the Town of Moreau for the construction of a water treatment plant to service a County Water System to be owned and operated by SCWA; and

WHEREAS, due to the fact the County was conveying the 21.86 acre reforested parcel to SCWA for a purpose other than reforestation or a purpose otherwise authorized by County Law §219, it was necessary for the County to obtain home rule legislation in the form of Chapter 439 of 2006 of the Laws of the State of New York to authorize the conveyance, which conveyance was conditioned upon the County creating an equivalent sized parcel of County-owned reforested land in the Town of Providence; and

WHEREAS, the County conveyed said 21.86 acre parcel to SCWA by deed recorded in the Saratoga County Clerk's Office on March 24, 2008 as Instrument #2008010290, which parcel is currently identified on the Saratoga County tax maps as Tax Parcel #62.-1-12.2; and

WHEREAS, SCWA constructed a water treatment plant and necessary appurtenances on Tax Parcel #62.-1-12.2; and

WHEREAS, in the course of designing needed improvements and upgrades to its water treatment plant, SCWA recently discovered that portions of its water treatment facility, as constructed, enter onto the adjoining reforested lands of the County (Tax Parcel #62.-1-12.1); and

WHEREAS, the County and SCWA propose to remedy SCWA's entry onto the County's reforested lands by a lot line adjustment that: 1) extends the westerly boundary of SCWA's parcel by 180 ft. x 1234.62 ft., consisting of approximately 5 acres of land currently owned by the County, and being a portion of Tax Parcel #62.-1-12.1; and 2) shortens the southerly boundary of SCWA's parcel by 370 ft. x 600 ft., consisting of approximately 5 acres of land currently owned by SCWA, and being a portion of Tax Parcel #62.-1-12.2, which will be restored to the ownership of the County and re-designated as County reforested land; and

WHEREAS, the additional acreage to be added through the extension of the westerly boundary of SCWA's parcel is necessary to the improvement of the water treatment plant's efficiency and operations; and

WHEREAS, the SCWA has obtained the approval of the Town of Moreau to the proposed lot line adjustment; and

WHEREAS, pursuant to Resolution 65-2015, this Board of Supervisors requested home rule legislation:

- 1) authorizing the County of Saratoga and the Saratoga County Water Authority to effectuate a lot line adjustment that:
  - a) extends the westerly boundary of Tax Parcel #62.-1-12.2, owned by SCWA, by 180 ft. in width and 1234.62 ft. in length to include approximately 5 acres of reforested land currently owned by the County and being a portion of Tax Parcel #62.-1-12.1; and
  - b) shortens the southerly boundary of Tax Parcel #62.-1-12.2, owned by SCWA, by 370 ft. in length and 600 ft. in width to return to the County's ownership approximately 5 acres of land that will be restored to reforestation purposes and included within the boundaries of Tax Parcel #62.-1-12.1; and
- 2) amending Chapter 439 of 2006 of the Laws of the State of New York to revise accordingly the legal description of former reforested lands authorized to be conveyed by the County to SCWA to be as stated in the Schedule A attached thereto; and

WHEREAS, Assembly Bill No. A7293-A and Senate Bill No. S5024-A have been introduced in the State Legislature and would authorize the lot line adjustment requested by Resolution 69-2015; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests the enactment by the New York State Legislature of Assembly Bill No. A7293-A and Senate Bill No. S5024-A entitled "An Act authorizing the Saratoga County Water Authority, County of Saratoga, to effectuate a lot line adjustment involving a portion of reforested lands in the Town of Moreau"; and, be it further

RESOLVED, that a necessity exists for the enactment of such legislation due to the fact that the Saratoga County Board of Supervisors does not have the power to enact such legislation solely by local law; and, be it further

RESOLVED, that the Clerk of the Board forward certified copies of this Resolution to our local State legislators.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Kinowski said earlier today there was a ribbon cutting for the new Saratoga County Veterans Van. He thanked Mr. Wright and the Veterans Committee, the members of the Board and the Veterans Director for the work that went into to secure this van and the support through the process. He hoped the press would spread the word.

Mr. Kinowski invited everyone to the grand opening of Brown's Beach to be held on May 30<sup>th</sup> at 11am. There were many volunteers and much effort went into this beach. He hoped everyone can attend.

Mr. Lewza thanked Sheriff Zurlo and Emergency Services Director Zeilman for their part in the emergency drill that was held with the Ballston Spa schools. The drill went well with a team effort. Mr. Lewza said this is a much safer County with these two in charge.

Mr. Grattidge said every Supervisor received poster and flyers for the Sundae on the Farm which will be held on June 21<sup>st</sup> at Smith Brothers Farm in Charlton. There will be more information at next months' meeting.

Mr. Veitch introduced and congratulated Mrs. McNamara on her appointment to the Director of Personnel position. He also introduced Mr. Kuhn who was appointed as Saratoga County Coroner through the end of the year.

On a motion by Mr. Lent, seconded by Mr. Wright the meeting was unanimously adjourned.

Respectfully submitted,

Pamela A. Wright, Clerk